

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ERIC L. CHRISTIAN,
Plaintiff,

v.
JASON FRIERSON,
Defendant.

Case No. 2:24-cv-00529-RFB-EJY

ORDER

Before the Court for consideration is the Report and Recommendation (ECF No. 9) of the Honorable Elayna J. Youchah, United States Magistrate Judge, entered on March 21, 2024. A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is required to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge. Thomas v. Arn, 474 U.S. 140, 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due by April 4, 2024. Plaintiff filed an objection over one week later, on April 12, 2024. The Court has reviewed the record in this case, as well as Plaintiff’s untimely objection, and concurs with all the Magistrate Judge’s recommendations.

1 **IT IS THEREFORE ORDERED** that the Report and Recommendation (ECF No. 9) is
2 **ACCEPTED** and **ADOPTED** in full.

3 **IT IS FURTHER ORDERED** that Plaintiff's "Ex Parte Writ of Attachment" (ECF No.
4 2-2) is **DISMISSED** without prejudice, but without leave to amend.

5 **IT IS FURTHER ORDERED** that Plaintiff shall have one (1) opportunity to file a
6 Complaint in compliance with LSR 2-1. If Plaintiff so chooses, he must do so no later than April
7 25, 2024.

8 **IT IS FURTHER ORDERED** that the Clerk of Court must send Plaintiff the form and
9 instructions for completing and filing a Civil Rights Complaint.

10 **IT IS FURTHER ORDERED** that if Plaintiff fails to comply with this Order and Report
11 and Recommendation on or before April 25, 2024, the Court will dismiss this action without
12 prejudice. A dismissal without prejudice allows Plaintiff to file his case with the Court, under a
13 new case number, when he is able to comply with LSR 2-1 and file a complete application to
14 proceed *in forma pauperis* or pay the required filing fee.

15
16 **DATED:** April 16, 2024



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE